IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

WP(C).No. 29932 of 2007(S)

(O.S.242/2000 OF FAMILY COURT, KOLLAM)

PETITIONER:

SETHUNATHAN, S/O.RAGHAVAN ACHARI,
AGED 40, MARIKANTAVILASAM, NJARAKKAL,
PERINADU, REPRESENTED BY POWER OF ATTORNEY HOLDER
VASANTHA KUMARI, D/O.RAGHAVANACHARY AGED 40 YEARS
RESIDING AT MARIKANTAVILASAM, NJARAKKAL, PERINADU
POST, KOLLAM.

BY ADV. SRI.AJAYA KUMAR. G

RESPONDENTS:

SHEEJA, AGED 34 YEARS, D/O.SARASAMMA,
RESIDING AT SHEEJA BHAVAN, KUZHIYAM THEKKU,
PERINADU VILLAGE, CHANDANATHOPPU P.O.

BY ADV. SRI.C.RAJENDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF PLAINT IN O.S.NO.242/2000 BEFORE THE FAMILY COURT, KOLLAM.

EXT.P2 : TRUE COPY OF WRITTEN STATEMENT DT. 12.5.2003 FILED BY PETITIONER IN O.S.NO.242/2000 BEFORE THE FAMILY COURT, KOLLAM.

TGS

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

W.P.(C) No.29932 of 2007

Dated 16th November, 2007.

J U D G M E N T

Kurian Joseph, J.

The respondent/husband in O.S.242/2000 on the file of the Family Court, Kollam is the petitioner herein. The said suit is instituted by the respondent herein(wife) for return of gold ornaments, movables and for realization of money. The maintenance case between the parties has already been settled. The marital tie still subsists. The Family Court has directed the husband to be present before the court for mediation. It is submitted that several attempts were made, but all those attempts failed and presently he is working in Dubai and he may not be in a position to be in Kerala before the second week of March, 2008. The respondent submits that the case is now being prosecuted by the sister of the husband, as power of attorney holder and so far, there has not been an effective mediation. Once the husband is personally present, she is hopeful of reconciliation. In the above circumstances, it is only appropriate that the Family Court makes a further attempt to see whether a reunion is possible. The Family Court is directed to defer further

proceedings in O.S.242/2000 till 17.3.2008 and post the case on 17.3.2008, on which date, the petitioner and the respondent will be personally present before the Family Court. The Family Court will also take earnest steps to see whether a reconciliation is possible.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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